

City of Lafayette
Public Meeting Action Agenda
City Council Special Meeting
Redevelopment Agency Special Meeting

Monday, March 23, 2009 6:00 pm
Lafayette Community Center – **Sequoia Room**
500 St. Mary's Road, Lafayette, California

1. CALL TO ORDER

2. ROLL CALL

Mayor Tatzin, Vice Mayor Andersson, Councilmembers Anderson and Federighi

Absent: Anduri

Steven Falk, City Manager; Ann Merideth, Community Development Director; Tony Coe, Engineering Services Manager; Mala Subramanian, City Attorney, Mary Beth Coburn, Attorney

3. ADOPTION OF AGENDA

4. PUBLIC COMMENTS

5. CLOSED SESSION

A. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to Litigation pursuant to Government Code section 54956.9(b) (1 Case)

Action: Direction given to staff.

6. ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

* Any writings or documents pertaining to an **open session** item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at City Hall located at 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA. during normal business hours.

City of Lafayette
Public Meeting Action Agenda
City Council Regular Meeting
Redevelopment Agency Special Meeting

Monday, March 23, 2009 6:30 pm
Lafayette Community Center – Manzanita Room
500 St. Mary's Road, Lafayette, California

1. CALL TO ORDER

2. ROLL CALL

Mayor Tatzin, Vice Mayor Andersson, Councilmembers Anderson and Federighi

Absent: Anduri

Steven Falk, City Manager; Tracy Robinson, Administrative Services Director; Ann Merideth, Community Development Director; Niroop Srivatsa, Planning & Building Services Manager; Tony Coe, Engineering Services Manager; Christine Sinnette, Senior Planner; Mala Subramanian, City Attorney, Joanne Robbins, City Clerk

Environmental Task Force Members: Tom Chastain, Miya Muraki, Janet Thomas, Dick Holt, Steven Richard, Jon Love, Michele Perrault

Capital Projects Assessment Committee: Will Tissue, Ann Farrell Diemer; Gary Huisingh

3. PLEDGE OF ALLEGIANCE

4. ADOPTION OF AGENDA

5. REPORT FROM CLOSED SESSION

6. PUBLIC COMMENTS

Convene Jointly with the Environmental Task Force and Capital Projects Assessment Committee

7. PRESENTATIONS

A. Environmental Task Force
Report on Goals and Accomplishments 2009
Action: Received and filed.

B. Capital Projects Assessment Committee
Report on Goals and Accomplishments 2009
Action: Received and filed.

Adjourn joint session with Environmental Task Force and Capital Projects Assessment Committee

8. OLD BUSINESS

A. Niroop Srivatsa, Planning & Building Services Manager
Upgrading and Updating the City's Drainage Impact and Walkways Fees – a study approved in the 2008 and 2009 planning division work plans.
Action: Accepted the reports and authorized staff to schedule a public hearing on April 27, 2009. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)

9. STAFF REPORTS

A. Ann Merideth, Community Development Director

Introduce Ordinance 582 regarding the SB 1045 amendment to the Lafayette Redevelopment Plan on the effectiveness and time limit to receive tax increment

Action: Introduced Ordinance 582 and continued to April 13, 2009 for second reading and adoption. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)

10. PUBLIC HEARINGS

A. Christine Sinnette, Senior Planner

Initiate Proceedings to Amend General Plan Map I-1 to reclassify four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021) located on Deer Hill Road from Low Density Single Family Residential to Rural Residential Single Family and one property (232-140-014) on Deer Hill Road from Administrative/Professional/Office/Multifamily Residential to Rural Residential Single Family. The City may also consider initiating proceedings to amend General Plan Map I-1 to reclassify two properties (APN 232-150-027 and 232-150-028) located on Deer Hill and Pleasant Hill roads from

Administrative/Professional/Office/Multifamily Residential to Rural Residential Single Family and/or Low Density Multifamily Residential. GP02-08, CITY OF LAFAYETTE (APPLICANT), ANNA MARIA DETTMER TRUST, MICHAEL & SARA KIM, ZBIGNIEW NAGLICKI LIVING TRUST, STATE OF CALIFORNIA (OWNERS)

Initiate Proceedings to change the zoning designation for four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021) located on Deer Hill Road from R-20 to L-R-10 and one property on Deer Hill Road from APO to L-R-10. The City may also consider initiating proceedings to rezone two properties (APN 232-150-027 and 232-150-028) located on Deer Hill and Pleasant Hill roads from APO to L-R-10 and/or MRP and/or MRT.

RZ02-08, CITY OF LAFAYETTE (APPLICANT), ANNA MARIA DETTMER TRUST, MICHAEL & SARA KIM, ZBIGNIEW NAGLICKI LIVING TRUST, STATE OF CALIFORNIA (OWNERS)

Action: Continued the public hearing, considered the matter and directed staff to return on June 8th to initiate proceedings to amend the General Plan and zoning designations. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)

11. CONSENT CALENDAR

A. City Council Minutes

1. March 9, 2009

Action: Approved. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)

2. March 16, 2009

Action: Approved. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)

B. Resolution 2009-16 Ordering the Preparation of a Report Proposing the Levy of Assessments for 2009-2010 for the Core Area Landscaping and Lighting District 1979-1

Action: Adopted Resolution 2009-16. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)

C. Resolution 2009-17 Ordering the Preparation of a Report Proposing the Levy of Assessments for 2009-2010 for the Residential Lighting District 1979-2

Action: Adopted Resolution 2009-17. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and

Federighi; Noes: None; Absent: Anduri)

- D. Award of Contract for Project Number 014-9672 Stanley Boulevard Sidewalk
Action: ***1) Adopted the project plans, specifications, and project details to conform to the Uniform Construction Accounting Act. 2) Awarded Stanley Boulevard Sidewalk Project Number 014-9672, construction contract to North Bay Construction in the amount of \$191,357.00. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)***
- E. Award of Contract for Project Number 014-9674 2009 Road and Drain Improvement Project – Part A (Victoria Avenue, Victoria Court, Camino Colorados, Hermosa Court)
Action: ***1) Adopted the project plans, specifications, and project details to conform to the Uniform Construction Accounting Act. 2) Awarded 2009 Road and Drain Improvement Project Number 014-9674 Part A, construction contract to Grade Tech, Inc. in the amount of \$745,644. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)***
- F. Award of Contract for Project Number 014-9676 Mount Diablo Multi-Purpose Pathway
Action: ***1) Rejected the bid protest made by Grade Tech Inc. 2) Adopted the project plans, specifications, and project details to conform to the Uniform Construction Accounting Act. 3) Awarded Mount Diablo Multi-Purpose Pathway Project Number 014-9676, construction contract to HSR in the amount of \$198,894.00. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)***
- G. Agreement for Installation and Maintenance of Existing and New Landscaping between Temple Isaiah of Contra Costa County and the City of Lafayette, located at 3800 Mt. Diablo Boulevard, APN 241-010-046
Action: ***Accepted Agreement for Installation and Maintenance of Existing and New Landscaping between Temple Isaiah of Contra Costa County and the City of Lafayette, located at 3800 Mt. Diablo Boulevard, APN 241-010-046 and authorized City Clerk to record. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)***
- H. Stormwater Management Facilities Operations and Maintenance Agreement and Right of Entry between Temple Isaiah of Contra Costa County and the City of Lafayette, located at 3800 Mt. Diablo Boulevard, APN 241-010-046
Action: ***Accepted Stormwater Management Facilities Operations and Maintenance Agreement and Right of Entry between Temple Isaiah of Contra Costa County and the City of Lafayette, located at 3800 Mt. Diablo Boulevard, APN 241-010-046 and authorized City Clerk to record. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)***
- I. Approval of Minor Subdivision 503-06, 45 Prado Way: Authorization to execute access driveway agreement; authorization to record parcel map, acceptance of open space easement
Action: ***1) Approved the Minor Subdivision 503-06, 45 Prado Way and driveway agreements and authorize the execution of both and recordation of the parcel map. 2) Accepted the grant of open space easement and authorize a recordation of the parcel map. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)***
- J. Lafayette's Comments on the Contra Costa Transportation Authority's 2009 Countywide Comprehensive Transportation Plan
Action: ***Received and filed. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi;***

Noes: None; Absent: Anduri)

K. Code Enforcement Activity Report

Action: Received and filed. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)

Convene Redevelopment Agency

L. Adjust Redevelopment Agency budget to reflect a payment of \$229,495 to the Education Revenue Augmentation Fund (ERAF) before May 1, 2009 reserving any rights the agency may have to withhold or recover the payment of funds under Health and Safety Code Section 33685 based on any order or judgment of the Court in CRA v. Genest.

Action: Adjusted the Redevelopment Agency budget to reflect a payment of \$229,495 to the Education Revenue Augmentation Fund (ERAF) with reservation of rights to withhold or recover the payment. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)

M. Settlement Agreement and General Release Between The Lafayette Redevelopment Agency and C. Overaa & Co. For The Lafayette Library And Learning Center Project

Action: Authorized Chair to Execute Amended Agreement. Vote: 3-1-1 (Ayes: Andersson, Anderson and Federighi; Noes: Tatzin; Absent: Anduri)

Adjourn Redevelopment Agency

12. COUNCIL/COMMISSION REPORTS

A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

B. Resolution 2009-22 Authorizing a Local Match Amount and the City Manager or his Designee to Enter a Contract with Caltrans for its Community- Based Transportation Planning Grant

Action: Adopted Resolution 2009-22. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)

13. WRITTEN COMMUNICATIONS

A. Memo received March 3, 2009 from BB&K regarding new rules effective February 2, 2009 for gifts of tickets and/or passes to public officials.

Action: Discussed and directed staff to prepare a resolution defining a city policy regarding gifts of tickets or passes to public officials. Vote: 4-0-1 (Ayes: Tatzin, Andersson, Anderson and Federighi; Noes: None; Absent: Anduri)

B. Letter dated March 3, 2009 from Donald Anderson, Community Services Director, Lafayette Rotary Club, requesting permission to use Lafayette Plaza on Saturday, April 11, 2009 from 9:45 am to 11:00 am for the Spring Egg Hunt.

Action: Consensus of the council to allow the Lafayette Rotary Club to use Lafayette Plaza on Saturday, April 11, 2009 from 9:45 am to 11:00 am for the Spring Egg Hunt.

C. Letter dated March 9, 2009 from Jay Lifson, CEO, Lafayette Chamber of Commerce, requesting permission to use Lafayette Plaza for a party for supporters of the TRY LAFAYETTE FIRST program, on Friday, June 5th from 5:00 pm to 8:00 pm and cone off the street in front of Squirrel Coffee Shop at 4:00 pm for set-up.

Action: Consensus of the council to allow the Lafayette Chamber of Commerce to use Lafayette Plaza on Friday, June 5, 2009 from 5:00pm to 8:00pm and cone off the street in

front of Squirrel Coffee Shop for set-up.

14. ADJOURNMENT 10:04pm to the next regularly scheduled meeting on Monday, April 13, 2009.

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

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